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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,520	12/21/2004	Matti Myyry	60091.00366	8108

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EXAMINER

LU, ZHIYU

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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02/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/518,520	MYRY ET AL.	
	Examiner	Art Unit	
	Zhiyu Lu	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 31-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 31-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/14/2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 31-60 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 31-32, 51 and 55-56 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the

relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In claim 31, applicants claim "said request prompting the user of the slave user equipment to send user information for group establishment in a second communications network" in lines 4-6 and "using the second communications network for group communication of the group" in last line. There is no support in filed specification.

In paragraphs 0030-0031 of published application, it is the master user equipment (UE) that sends group information to a second communications network (N2) for storage after collected information from slave UEs and established a group in a first communications network (N1).

The same is described in Fig. 2, Fig. 7, paragraphs 0023-0026, and paragraphs 0046-0047 of the published application, where N2 is used to store information on group established in N1.

So, group establishment is only within the first communications network. There is no group establishment in the second communications network, which means no group communication using the second communications network.

The same goes for claims 32, 51 and 55-56.

For examining purpose, the rejections on claims 31-32, 51 and 55-56 below are based on interpretation from filed specification.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 39, rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 39, 46-47, 49 and 53 recite the limitation "the communications medium" in line 2 or 3.

There is insufficient antecedent basis for this limitation in the claim.

Claims 37, 40, 50, 54 and 60 recite the limitation "the communications network" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 57 recites the limitation "the short-range communications medium" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim 61 recites the limitation "the second mobile network" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 31-43 and 45-61 are rejected under 35 U.S.C. 102(a) as being anticipated by Kotzin (US Patent#7002942, same as US2003/0026221).

Regarding claim 52, Kotzin anticipates a user equipment (106A of Figs. 1, 4, 7) comprising a group communications capability, the equipment further comprising:

means (LAN TRANSCEIVER in 106A of Fig. 1) for sending a request to at least one slave user equipment (106B-N of Figs. 1, 4, 7) over a first communications network (102 of Fig. 1) prompting the user of the slave user equipment to send user information for group establishment (Bluetooth inquiry for piconet establishment, 500A-D of Fig. 5, or query messages in column 8 lines 61-67);

means (LAN TRANSCEIVER in 106A of Fig. 1) for receiving from at least one slave user equipment over the first communications network a response comprising user information for group establishment (502A-D of Fig. 5, column 8 line 67 to column 9 line 11);

means (112 of Fig. 1) for creating the group based on the information received in responses from the at least one slave user equipment (column 8 lines 9-11); and

means (LAN TRANSCEIVER in 106A of Fig. 1) for sending the information on the created group to all members of the group via the first communications network (column 6 lines 19-29, where broadcasting makes known of group members to all members of the group).

Regarding claim 31, Kotzin anticipates a method as explained in response to claim 52 above, where master device sends and stores group information in the second communication network (114 of Fig. 1, 604 of Fig. 6).

Regarding claim 32, Kotzin anticipates a method of establishing a communications group in a communications network as explained in response to claim 52 above.

Regarding claim 51, Kotzin anticipates a user equipment comprising a group communications capability as explained in response to claim 52 above, where master device sends and stores group information in the second communication network (114 of Fig. 1, 604 of Fig. 6).

Regarding claim 55, Kotzin anticipates a communications system as explained in response to claim 52 above, where master device sends and stores group information in the second communication network (114 of Fig. 1, 604 of Fig. 6).

Regarding claim 56, Kotzin anticipates a communications system as explained in response to claim 52 above.

Regarding claim 33, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates wherein at least one of the request or the response is one of the following: a multicast request, a point-to-point request, a short message request, an instant message request, an e-mail message request, a multimedia message request, a unified messaging message request, a WAP (Wireless Application Protocol) message request or an SIP (Session Initiation Protocol) message request (column 8 line 63).

Regarding claim 34, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates wherein the master equipment, in creating or modifying the group, checking the response from slave user equipment and if the information of the slave user equipment is acceptable, adding the slave user equipment to the group (inherent in Bluetooth grouping).

Regarding claim 35, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates wherein the request comprises a file which guides the user of the slave user equipment to send only the information needed to establish the group to the master user equipment (inherent in Bluetooth connection setup).

Regarding claim 36, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates wherein the request comprises a file which guides the slave user equipment to send only the information needed to establish the group to the master user equipment (inherent in Bluetooth connection setup).

Regarding claim 37, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising retrieving, by the master user equipment, a file for the request from at least one of the communications network, from its memory (inherent broadcasting synchronization request), or from the slave user equipment.

Regarding claim 38, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising retrieving, by the master user equipment, a file for the request (inherent broadcasting synchronization request).

Regarding claims 39 and 53, Kotzin anticipates the limitations of claims 31 and 51.

Kotzin anticipates wherein the communications medium is one of the following short-range communications media or networks: a circuit switched network, a packet switched network, a wireless local area network, an IrDA network, a Bluetooth medium or a network according to the IEEE 802.11 standards (102 of Fig. 1).

Regarding claim 40, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates wherein the communications network is one of the following networks: a digital mobile communications network, a circuit switched network, or a packet switched network (104 of Fig. 1).

Regarding claim 41, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising before sending the request from the master user equipment to at least one slave user equipment, selecting by the master user equipment an identification to be used in the information interchange (inherent in Bluetooth connection setup, eg. master device's identification and/or password).

Regarding claim 42, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising sending the request is by using multicasting (column 6 lines 19-22).

Regarding claim 43, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising sending the request by using broadcasting (column 6 lines 19-22).

Regarding claims 45 and 58, Kotzin anticipates the limitations of claims 31 and 55.

Kotzin anticipates further comprising sending by the master user equipment, the request automatically when new user equipment enters a predetermined area (inherent in Bluetooth device detection).

Regarding claim 46, Kotzin anticipates the limitation of claim 45.

Kotzin anticipates further comprising detecting entrance of a client or new user equipment into the predetermined area, sending the request over the communications medium at least in the proximity of the entrance point (inherent in Bluetooth device detection).

Regarding claim 47, Kotzin anticipates the limitation of claim 45.

Kotzin anticipates further comprising sending the request periodically over the communications medium at least in the proximity of the entrance point to the predetermined area (inherent in Bluetooth device detection).

Regarding claims 48 and 59, Kotzin anticipates the limitations of claims 31 and 58.

Kotzin anticipates further comprising deleting by the master user equipment, user equipment from a group when user equipment exits a predetermined area or after a predetermined period of time has elapsed (inherent in piconet update).

Regarding claim 49, Kotzin anticipates the limitation of claim 48.

Kotzin anticipates further comprising detecting exit of a client or user equipment from the predetermined area, sending an identification request over the communications medium at least in the proximity of the exit point, deleting a group member from the group on the basis of a response to the identification request, if any (inherent in piconet connection).

Regarding claim 50, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising sending, by the master user equipment or another device provided with the group information, advertisements to the group members over the communications network (inherent in query).

Regarding claim 54, Kotzin anticipates the limitation of claim 51.

Kotzin anticipates wherein the communications network is one of the following networks: a digital mobile communications network, a circuit switched network, a packet switched network, a wireless local area network, an IrDA network, a Bluetooth network or a network according to the IEEE 802.11 standards (Fig. 1).

Regarding claim 57, Kotzin anticipates the limitation of claim 55.

Kotzin anticipates wherein the short-range communications medium including one of the following short-range communications media or networks: a wireless local area network, an IrDA network, a Bluetooth medium or a network according to the IEEE 802.11 standards (102 of Fig. 1).

Regarding claim 60, Kotzin anticipates the limitation of claim 58.

Kotzin anticipates further comprising a unit (transceiver) for sending advertisements to the group members over the communications network (inherent).

Regarding claim 61, Kotzin anticipates the limitation of claim 31.

Kotzin anticipates further comprising modifying the group based on the information received in responses from the at least one slave user equipment (inherent in detecting new Bluetooth unit); and sending by the master user equipment information on the modified group to the second mobile network (114 of Fig. 1, 604 of Fig. 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 44 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kotzin (US Patent#7002942) in view of Jamieson et al. (US2002/0034959)

Regarding claim 44, Kotzin teaches the limitation of claim 31.

But, Kotzin do not expressly disclose the identification is an MSISDN number.

Jamieson et al. teach using MSISDN number as identification in talk group (paragraph 0022).

Therefore, it would have been obvious to one of ordinary skill in the art to incorporate using MSISDN number as identification in talk group taught by Jamieson et al. into the method of Kotzin, in order to configured talk group with mobile telephones.

Conclusion


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Zhiyu Lu
January 23, 2008


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SUPERVISORY PATENT EXAMINER